

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DELLA DENISE BLACK,

Plaintiff,

v.

Case No. 05-72199

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,  
CARLTON M. HADDEN, DIRECTOR,  
HOMELAND SECURITY, and  
MICHAEL CHERTOFF, SECRETARY.

Honorable Patrick J. Duggan

Defendants.

---

**ORDER DENYING PLAINTIFF'S REQUEST TO AMEND NAME OF  
DEFENDANT AND SUMMONS**

At a session of said Court, held in the U.S.  
District Courthouse, Eastern District  
of Michigan, on October 25, 2005.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

On June 8, 2005, Plaintiff Della Denise Black filed a *pro se* Complaint against Defendants. Presently before the Court is Plaintiff's Motion to Amend Name of Defendant and Summons, filed on August 2, 2005.

Plaintiff contends:

On July 28, 2005, I had contacted Washington, D.C. to make sure that I had the correct address for service of the summons upon EEOC. At that time, I had learned that the correct defendant and address was as follows: Department of Labor, Elaine L. Chao, Secretary, 200 Constitution Ave. . . . Therefore, I am

requesting amendment of documents, Civil Action Complaint and Summons to be served, to show/name the defendant as: Department of Labor, Elaine L. Chao, Secretary.

(Pl.'s Mot. to Amend at 1).

However, none of the allegations contained in Plaintiff's Complaint discuss the Department of Labor. Rather, Plaintiff's allegations are against the EEOC and the Department of Homeland Security. Moreover, the EEOC is not an agency under the Department of Labor. Therefore, if Plaintiff wishes to file suit against the Department of Labor, she must re-file her complaint and properly serve the Department of Labor.

Plaintiff also asks the Court to "amend the Service of Summons to include the Department of Homeland Security (DHS), Michael Chertoff, Secretary, if appropriate." (Pl.'s Mot. to Amend at 2). The docket shows that Michael Chertoff of DHS was served with a copy of the summons and complaint on September 14, 2005 and the returned executed summons was entered on October 11, 2005.

Accordingly,

**IT IS ORDERED** that Plaintiff's Motion to Amend Name of Defendant and Summons is **DENIED**.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copy to:

Della Denise Black-Gates  
Warren, MI